

Amendment Under 37 C.F.R. § 1.111
USSN 09/987,749
Attorney Docket Q67214
April 29, 2004

REMARKS

Claims 1, 7 and 8 are all the claims pending in the application.

In the last Office Action Claim 1 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claims 4 and 5 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Gellert et al. (US Patent 6,394,784) in view of EP 750 975. Claims 4 and 5 were further rejected under 35 U.S.C. § 103(a) as being unpatentable over EP 750 975 in view of Gellert et al. (US Patent 6,394,784). Claims 1 and 6 were indicated as being directed to allowable subject matter.

Claim 1 has been amended to overcome the noted indefiniteness. More specifically Claim 1 has been amended in accordance with the Examiner's suggestion. Therefore, Claim 1 is now considered to be allowable.

Claims 4, 5 and 6 have been cancelled in order to advance the prosecution of the present application and new Claims 7 and 8 have been substituted therefore. New Claim 7 is a combination of Claims 4 and 5 and new Claim 8 is a combination of Claims 4 and 6. Reconsideration and allowance of the claims are respectfully requested in view of the following remarks.

In rejecting Claim 4 the Examiner took the position that it would have been obvious to one having ordinary skill in the art to locate the resistors of Gellert et al. in a spiral groove as suggested by EP 750 975. With respect to the rejection of Claim 5 the Examiner took the position that the positioning of the resistors in a side by side condition in the nozzle of Gellert et

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al. (as modified by EP 750 975) would have been obvious since Gellert et al. shows the resistors 80 and 90 positioned in a side by side arrangement to be conventional. It is submitted that the resistors 80 and 90 of Gellert et al. are not positioned in a side by side arrangement. The resistors 80 and 90 of Gellert are each in the form of a separate coil with one coil being disposed radially outward of the other coil in spaced relation to each other. The resistors of each coil are encapsulated in a synthetic material and do not touch each other. Thus, the resistors 80 and 90 are clearly not positioned in a side by side arrangement. The EP 750 975 reference discloses a single coil with the heating resistor being disposed in a spiral shaped groove by itself. There is nothing in this teaching that would lead anyone to locating two separate coils in the same spiral shaped groove. Therefore, new Claim 7 which is substantially Claim 5 presented in independent form would not be the least bit obvious in view of the teachings of Gellert et al. and EP 750 975. The only suggestion of placing two separate heating resistors in a spiral shaped groove in side by side relation comes from the disclosure of the present application. Therefore, it is submitted that new Claim 7 is also allowable.

New Claim 8 is basically allowable Claim 6 presented in independent form.
Accordingly, new Claim 8 is considered to be allowable.

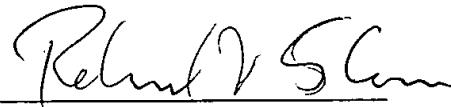
In view of the foregoing amendments and arguments it is submitted that Claims 1, 7 and 8 are allowable and it is respectfully requested that these claims be allowed and the application passed to issue forthwith.

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If for any reason the Examiner is unable to allow the application on the next Office Action and feels that an interview would be helpful to resolve any remaining issue, the Examiner is respectfully requested to contact the undersigned attorney for the purpose of arranging such an interview.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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